

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission

From: Planning Division

Date: September 22, 2004

Re: **CONDITIONAL USE PERMIT (CUP): The First Goal, 119 Millrace Drive.**

I. PETITIONER

The First Goal, Inc., Mr. Rodney L. Suddith, 916 Main St., Suite 30, Lynchburg, VA 24504

Representative: Mr. Charles F. Hurt, P.E., Headforemost, Inc., 408 St. Andrews Ct., Lynchburg, VA 24503.

II. LOCATION

The subject property is a tract of about 17 acres located at 19 Millrace Dr.

Property Owner: Ivy Wolf, LLC, 305 Enterprise Dr., Forest, VA 24551.

III. PURPOSE

The purpose of this petition is to allow the use of a portion of an existing building as a recreation facility containing basketball courts, volleyball courts, a weight training room, classrooms and offices.

IV. SUMMARY

- Petition does not agree with the Comprehensive Plan which recommends an Employment 2 use for the subject property.
- Petition agrees with the Zoning Ordinance in that a community recreation facility is a permitted use in an I-2, Light Industrial District upon approval of a Conditional Use Permit by the City Council.

The Planning Division recommends denial of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2002 – 2020* recommends an “Employment 2” use for the subject property. Employment 2 areas designated on the Future Land Use Map (FLUM) are defined as areas that “are to include light and heavy manufacturing, research and development, flex space and large scale office uses. Restaurant, hotel and business service uses are also appropriate, if sized and designated to serve the employment area.” (pg 5.4) Commercial & Employment Areas, Objective 2.A, Conservation of Development Sites, number 5 states, “In areas designated for industrial development, limit commercial uses to those providing goods and services to the industries and to their employees.” (pg 9.6)
2. **Zoning.** The subject property was annexed into the City in 1976. The existing I-2, Light Industrial District zoning was established on October 13, 1992 with the adoption of the Graves Mill Rd. / U.S. 221 Land Use Study.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the use as proposed.
4. **Surrounding Area.** The following items have required City Council approval in the area:
 - October 9, 1979, the City Council approved the rezoning petition of Annjo Land Corporation to rezone 10.5 acres from R-C to R-1 on Graves Dr.
 - October 9, 1979, the City Council approved the rezoning petition of Annjo Land Corporation to rezone 4 acres from R-C to I-2 on Graves Dr.

- April 14, 1981, the City Council approved the rezoning petition of “Iseman” to rezone 8 acres from R-1 to R-2 (Conditional) at the end of Omega Dr.
 - August 10, 1982, the City Council approved the rezoning petition of Annjo Land Corporation to rezone 48.1 acres from R-C & I-2 to I-2 (Conditional) on Graves Dr. and Brook Park Pl.
 - October 13, 1992, the City Council approved the Graves Mill Rd. / U.S. 221 Land Use Study establishing the current zoning for the area.
5. **Site Description.** The subject property is bounded to the north, east and west by industrial uses and to the south by industrial and single-family residential uses.
 6. **Proposed Use of Property.** The purpose of the CUP is to allow the use of 28,750 square feet of an existing 60,000 square foot industrial building for use as a community recreation facility. The remaining 31,250 square feet will be utilized by Seckman Printing.
 7. **Traffic and Parking.** The City Traffic Engineer has no comments of concern regarding the subject petition. Parking calculations for recreation facilities are one (1) space for two (2) persons of the rated capacity of the building. The petitioner has stated that the rated capacity of the building will be ninety (90) persons which will require forty-five (45) parking spaces. There are currently eighty-six (86) parking spaces available on the property.
 8. **Storm Water Management.** A stormwater management / erosion and sediment control plan will not be required for the project as proposed.
 9. **Impact.** The petition proposes the use of 28,750 square feet of an existing 60,000 square foot industrial building located in the Lynchburg Center for Industry for use as a recreation facility. Historically the property has been used by Adjustable Steel Products Company, Inc. and the Great American Shelving Company Inc. The property is currently occupied by Seckman Printing, which operates three (3) shifts of six (6) to seven (7) employees each.

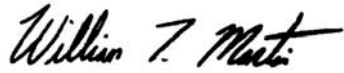
“The First Goal was created to establish a sports-oriented evangelical Christian ministry which will be dedicated to providing teenagers and at-risk youth with recreational opportunities, athletic training, Bible teaching and practical skills to enable them to develop safe, healthy and stable lives with purpose and direction.” The petition proposes to renovate the existing building to construct basketball courts, volleyball courts, a weight training room, classrooms and offices.

While the mission of “The First Goal” is admirable, the proposed site in the Lynchburg Center for Industry is not a suitable location. The use of the property as a recreation facility is not the “highest and best use” for the land. Information provided to the City from Economics Research Associates (ERA) in September 2003 and adopted as a revision to the *Comprehensive Plan 2002 – 2020* on December 16, 2003 indicates that the City can expect to capture 1.1 million square feet of industrial use during the next twenty (20) years. Allowing the intrusion of a non industrial, non employment use into one of the City’s industrial parks could hinder the City’s ability to capture its fair share of the industrial market in the future, and may make the surrounding properties undesirable to other industrial uses.
 10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on August 31, 2004. Comments related to the proposed use were primarily related to planning and zoning.
 11. **Conditions.** According to Section 35.1-15 (f) of the Zoning Ordinance, the Planning Commission or City Council may impose any conditions deemed necessary or appropriate in approving a CUP.
-

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council denial of the petition of First Goal, Inc. to allow the use of a portion of an existing building at 19 Millrace Dr. as a community recreation facility.

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas Dejarnette, Fire Marshal
Ms. Judith C. Wiegand, AICP, Senior Planner
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Environmental Planner
Mr. Rodney L. Suddith, Petitioner
Mr. Charles Hurt, Representative

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern**
(see attached map)
- 2. Vicinity Proposed Land Use**
(see attached map)
- 3. Site Plan**
(see attached site plans)
- 4. Narrative**
(see attached narrative)
- 5. Letter of Support**
(see attached letter)
- 6. Letter of Opposition**
(see attached letter)